

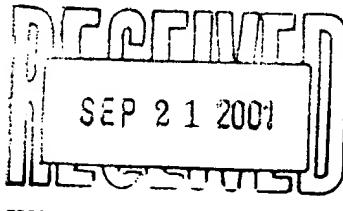


UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/912,923	07/25/2001	James M. Tour	1789-05303

23505 MONSSB
CONLEY ROSE & TAYON, P.C.
P. O. BOX 3267
HOUSTON, TX 77253-3267



CONFIRMATION NO. 5497
FORMALITIES LETTER



'OC000000006560688'

Date Mailed: 09/17/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

02/27/2002 SHINASS1 00000027 032769 09912923

01 FC:205 65.00 CH

Please type a plus sign (+) inside this box → +

OPY OF PAPERS
ORIGINALLY FILED

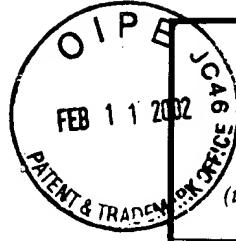
PTO/SB/021 (08-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Section 4
8

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09/912,923
Filing Date	July 25, 2001
First Named Inventor	James L. Tour
Group Art Unit	2818
Examiner Name	
Total Number of Pages in This Submission	7
Attorney Docket Number	1789-05303

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment (for an application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<i>Copy of Notice to File Missing Parts; Declaration (1 p.), Application Data Sheet (3 p.)</i>
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Or Individual Name	SARAH S. BITTNER
Signature	
Date	October 26 2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: October 26, 2001.

Typed or Printed Name	M. A. CRABTREE
Signature	
Date	October 26, 2001

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

		Complete if Known	
		Application Number	09/912,923
		Filing Date	July 25, 2001
		First Named Inventor	James L. Tour
		Examiner Name	
		Group Art Unit	2818
TOTAL AMOUNT OF PAYMENT	\$ 65.00		
	Attorney Docket No. 1789-05303		

METHOD OF PAYMENT				FEE CALCULATION (continued)																																																																																																																																	
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to: Deposit Account Number: 03-2769 Deposit Account Name: Conley, Rose & Tayon, P.C. <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27				3. ADDITIONAL FEES <table> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>Surcharge - late filing fee or oath</td><td>\$65.00</td></tr> <tr><td>127</td><td>50</td><td>Surcharge - late provisional filing fee or cover sheet</td><td>\$</td></tr> <tr><td>139</td><td>130</td><td>Non-English specification</td><td>\$</td></tr> <tr><td>147</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td>\$</td></tr> <tr><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td>\$</td></tr> <tr><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td>\$</td></tr> <tr><td>115</td><td>110</td><td>Extension for reply within first month</td><td>\$</td></tr> <tr><td>116</td><td>400</td><td>Extension for reply within second month</td><td>\$</td></tr> <tr><td>117</td><td>920</td><td>Extension for reply within third month</td><td>\$</td></tr> <tr><td>118</td><td>1,440</td><td>Extension for reply within fourth month</td><td>\$</td></tr> <tr><td>128</td><td>1,960</td><td>Extension for reply within fifth month</td><td>\$</td></tr> <tr><td>119</td><td>320</td><td>Notice of Appeal</td><td>\$</td></tr> <tr><td>120</td><td>320</td><td>Filing a brief in support of an appeal</td><td>\$</td></tr> <tr><td>121</td><td>280</td><td>Request for oral hearing</td><td>\$</td></tr> <tr><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td>\$</td></tr> <tr><td>140</td><td>110</td><td>Petition to revive - unavoidable</td><td>\$</td></tr> <tr><td>141</td><td>1,280</td><td>Petition to revive - unintentional</td><td>\$</td></tr> <tr><td>142</td><td>1,280</td><td>Utility issue fee (or reissue)</td><td>\$</td></tr> <tr><td>143</td><td>460</td><td>Design issue fee</td><td>\$</td></tr> <tr><td>144</td><td>620</td><td>Plant issue fee</td><td>\$</td></tr> <tr><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td>\$</td></tr> <tr><td>123</td><td>50</td><td>Petitions related to provisional applications</td><td>\$</td></tr> <tr><td>126</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td>\$</td></tr> <tr><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td>\$</td></tr> <tr><td>146</td><td>740</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td>\$</td></tr> <tr><td>149</td><td>740</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td>\$</td></tr> <tr><td>179</td><td>740</td><td>Request for Continued Examination (RCE)</td><td>\$</td></tr> <tr><td>169</td><td>900</td><td>Request for expedited examination of a design application</td><td>\$</td></tr> <tr><td colspan="4">Other fee (specify)</td></tr> <tr> <td colspan="4">*Reduced by Basic Filing Fee Paid</td> <td>SUBTOTAL (3)</td> <td>\$65.00</td> </tr> </tbody> </table>				Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	105	130	Surcharge - late filing fee or oath	\$65.00	127	50	Surcharge - late provisional filing fee or cover sheet	\$	139	130	Non-English specification	\$	147	2,520	For filing a request for <i>ex parte</i> reexamination	\$	112	920*	Requesting publication of SIR prior to Examiner action	\$	113	1,840*	Requesting publication of SIR after Examiner action	\$	115	110	Extension for reply within first month	\$	116	400	Extension for reply within second month	\$	117	920	Extension for reply within third month	\$	118	1,440	Extension for reply within fourth month	\$	128	1,960	Extension for reply within fifth month	\$	119	320	Notice of Appeal	\$	120	320	Filing a brief in support of an appeal	\$	121	280	Request for oral hearing	\$	138	1,510	Petition to institute a public use proceeding	\$	140	110	Petition to revive - unavoidable	\$	141	1,280	Petition to revive - unintentional	\$	142	1,280	Utility issue fee (or reissue)	\$	143	460	Design issue fee	\$	144	620	Plant issue fee	\$	122	130	Petitions to the Commissioner	\$	123	50	Petitions related to provisional applications	\$	126	180	Submission of Information Disclosure Stmt	\$	581	40	Recording each patent assignment per property (times number of properties)	\$	146	740	Filing a submission after final rejection (37 CFR § 1.129(a))	\$	149	740	For each additional invention to be examined (37 CFR § 1.129(b))	\$	179	740	Request for Continued Examination (RCE)	\$	169	900	Request for expedited examination of a design application	\$	Other fee (specify)				*Reduced by Basic Filing Fee Paid				SUBTOTAL (3)	\$65.00
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid																																																																																																																																		
105	130	Surcharge - late filing fee or oath	\$65.00																																																																																																																																		
127	50	Surcharge - late provisional filing fee or cover sheet	\$																																																																																																																																		
139	130	Non-English specification	\$																																																																																																																																		
147	2,520	For filing a request for <i>ex parte</i> reexamination	\$																																																																																																																																		
112	920*	Requesting publication of SIR prior to Examiner action	\$																																																																																																																																		
113	1,840*	Requesting publication of SIR after Examiner action	\$																																																																																																																																		
115	110	Extension for reply within first month	\$																																																																																																																																		
116	400	Extension for reply within second month	\$																																																																																																																																		
117	920	Extension for reply within third month	\$																																																																																																																																		
118	1,440	Extension for reply within fourth month	\$																																																																																																																																		
128	1,960	Extension for reply within fifth month	\$																																																																																																																																		
119	320	Notice of Appeal	\$																																																																																																																																		
120	320	Filing a brief in support of an appeal	\$																																																																																																																																		
121	280	Request for oral hearing	\$																																																																																																																																		
138	1,510	Petition to institute a public use proceeding	\$																																																																																																																																		
140	110	Petition to revive - unavoidable	\$																																																																																																																																		
141	1,280	Petition to revive - unintentional	\$																																																																																																																																		
142	1,280	Utility issue fee (or reissue)	\$																																																																																																																																		
143	460	Design issue fee	\$																																																																																																																																		
144	620	Plant issue fee	\$																																																																																																																																		
122	130	Petitions to the Commissioner	\$																																																																																																																																		
123	50	Petitions related to provisional applications	\$																																																																																																																																		
126	180	Submission of Information Disclosure Stmt	\$																																																																																																																																		
581	40	Recording each patent assignment per property (times number of properties)	\$																																																																																																																																		
146	740	Filing a submission after final rejection (37 CFR § 1.129(a))	\$																																																																																																																																		
149	740	For each additional invention to be examined (37 CFR § 1.129(b))	\$																																																																																																																																		
179	740	Request for Continued Examination (RCE)	\$																																																																																																																																		
169	900	Request for expedited examination of a design application	\$																																																																																																																																		
Other fee (specify)																																																																																																																																					
*Reduced by Basic Filing Fee Paid				SUBTOTAL (3)	\$65.00																																																																																																																																
2. EXTRA CLAIM FEES <table> <thead> <tr> <th>Total Claims</th> <th>Independent Claims</th> <th>Extra Claims</th> <th>Fee from below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>*</td> <td>*</td> <td>- 20** =</td> <td>* x 18.00 =</td> <td>\$</td> </tr> <tr> <td>Independent</td> <td>*</td> <td>3** =</td> <td>* x 84.00 =</td> <td>\$</td> </tr> <tr> <td>Claims</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Multiple Dependent</td> <td></td> <td></td> <td>280.00 =</td> <td>\$ 00.00</td> </tr> </tbody> </table>				Total Claims	Independent Claims	Extra Claims	Fee from below	Fee Paid	*	*	- 20** =	* x 18.00 =	\$	Independent	*	3** =	* x 84.00 =	\$	Claims					Multiple Dependent			280.00 =	\$ 00.00																																																																																																									
Total Claims	Independent Claims	Extra Claims	Fee from below	Fee Paid																																																																																																																																	
*	*	- 20** =	* x 18.00 =	\$																																																																																																																																	
Independent	*	3** =	* x 84.00 =	\$																																																																																																																																	
Claims																																																																																																																																					
Multiple Dependent			280.00 =	\$ 00.00																																																																																																																																	
Large Entity Fee Code (\$)				Small Entity Fee Code (\$)																																																																																																																																	
103 18 203 9 102 84 202 42 104 280 204 140 109 84 209 42				Fee Description Claims in excess of 20 Independent Claims in excess of 3 Multiple dependent claim, if not paid ** Reissue independent claims over original patent ** Reissue claims in excess of 20 and over original patent																																																																																																																																	
SUBTOTAL (2) \$00.00																																																																																																																																					

** or number previously paid, if greater; For Reissues, see above

SUBMITTED BY		Complete (if applicable)			
Name (Print/Type)	SARAH S. BITTNER	Registration No. (Attorney/Agent)	47,426	Telephone	(713) 238-8000
Signature	<i>Sarah S. Bittner</i>				Date October 26, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.